

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

ORDER

Upon of review of Defendant's *Motion to Dismiss for Want of Prosecution* (Doc. 21, filed December 14, 2007), it is hereby

ORDERED that the motion be submitted without oral argument on **January 16, 2008**.

It is further **ORDERED** that the Plaintiff, Keith Rudolph, file a response which shall include a brief and evidentiary materials on or before **January 9, 2008**. Defendant may file a reply brief on or before **January 16, 2008**.

The parties are further advised that they are required to submit a paper courtesy copy of briefs and supporting evidence to the Chambers of the undersigned. For those submissions (including briefs and evidentiary materials) that exceed twenty-five (25) pages, the courtesy copy shall be bound in a three-ring binder and tabbed.

**IN DEFERENCE TO THE PLAINTIFF'S STATUS AS A NON-LAWYER, PRO-SE
LITIGANT, THE COURT ADVISES:**

1. The *pro se* Plaintiff is advised that if he fails to file *any* response, the court will proceed to decide on the merits of Defendant's motion without the benefit of his response.
2. Failure to follow the requirements of this Order in responding to the Defendant's motion may result in the entry of a final judgment in Defendant's favor without any trial.

DONE this 17th day of December, 2007.

/s/ Terry F. Moorer
TERRY F. MOORER
UNITED STATES MAGISTRATE JUDGE